

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT LYNCHBURG, VA
FILED

JAN 03 2007

JOHN F. CORCORAN, CLERK
BY: *[Signature]*
DEPUTY CLERK

UNITED STATES OF AMERICA,

v.

TYRONE DAVIS,

Defendant

CRIMINAL NO. 6:04-CR-70108

ORDER and OPINION

JUDGE NORMAN K. MOON

This matter is before the Court on the Government's Motion for Substantial Assistance Consideration, filed on December 21, 2006 (docket entry no. 53), pursuant to Rule 35(b) of the Federal Rules of Criminal Procedure.

Defendant pled guilty to one count of possession of a measurable quantity of cocaine with intent to distribute the cocaine and was sentenced on July 8, 2005. The sentence included a term of imprisonment of 151 months. The Government states that Defendant is entitled to substantial assistance consideration because of his assistance in the investigation and prosecution of another individual. Accordingly, the Government recommends that Defendant's sentence be reduced by 48 months.

The Court finds that Defendant qualifies for a sentence reduction under Rule 35(b) and hereby ORDERS that Defendant's term of imprisonment be reduced to a total of 103 months. No other component of the Court's July 8, 2005, sentence shall be affected by this Order.

It is so ORDERED.

The Clerk of the Court is hereby directed to send a copy of this Opinion and Order to all counsel of record and to the Defendant.

ENTERED: Theresa L. Moran
U.S. District Judge

January 3, 2007
Date